

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

v.

09-cr-44-bbc-01

LESLIE LETTS,

Defendant.

A hearing on the probation office's petition for judicial review of Leslie Letts's supervised release was held on February 12, 2010, before United States District Judge Barbara B. Crabb. The government appeared by Assistant United States Attorney David J. Reinhard. Defendant was present in person and by counsel, Jerry Lund. Also present was United States Probation Officer Michael J. Nolan.

From the record I make the following findings of fact.

FACTS

Defendant was sentenced in the Northern District of Illinois on October 29, 2004, following his conviction for using a facility or means of interstate commerce to persuade, induce, and entice a minor to engage in sexual activity, in violation of 18 U.S.C. § 2422 (b). This offense is a Class B felony. He was committed to the custody of the Bureau of Prisons to serve a term of 60 months' imprisonment followed by 60 months' supervised release.

On January 3, 2009, defendant began his term of supervised release in the Western District of Wisconsin. On April 1, 2009, the Western District of Wisconsin accepted jurisdiction of defendant's term of supervision from the Northern District of Illinois.

On November 16, 2009, defendant violated Special Condition No. 7, which restricted computer access without the permission of the probation officer. Defendant had an active account on Facebook.com, a social networking website.

Defendant's conduct falls into the category of a Grade C violation. In addressing such violations, the court has the discretion to revoke supervised release, extend it or modify the conditions of release.

CONCLUSIONS

Defendant's violations do not warrant revocation, although they require some modification of the conditions of release.

ORDER

IT IS ORDERED that the conditions of supervised release imposed on defendant on October 29, 2004, are MODIFIED to add the following special condition:

Special Condition No. 9: "Provide the supervising U.S. probation officer advance notification of any devices associated with or falling within the general category of information technology that produce, manipulate, store, communicate or disseminate information and that he will use during the term of supervision. The probation office is authorized to install any application as necessary on any such devices owned or operated by defendant and shall

randomly monitor those media at the expense of the defendant. Defendant shall consent to and cooperate with unannounced examinations of any technological equipment owned or used by him, including but not limited to retrieval and copying of all data from all information technology devices and any internal or external peripherals. The examinations may involve removal of such equipment for the purpose of conducting the examination.”

Entered this 12th day of February, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB

Chief District Judge